

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAVARIAN NORDIC A/S, and
ANTON MAYR,

Plaintiffs,

v.

ACAMBIS INC., and
ACAMBIS, PLC

Defendants.

C.A. No. 05-614-SLR

[PROPOSED] ORDER

At Wilmington this ____ day of _____, 2007,

WHEREAS, Plaintiff Bavarian Nordic A/S has moved, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment with respect to the issue of tortious conversion (Count I of the First Amended Complaint);

WHEREAS, after considering all papers and arguments in support of and in opposition to Bavarian Nordic's motion, and the Court finding no genuine issue of material fact;

IT IS HEREBY ORDERED that Bavarian Nordic's Motion for Summary Judgment with respect to this issue of tortious conversion (Count I of the First Amended Complaint) is GRANTED.

United States District Judge